

## **DECLARATION AND POWER OF ATTORNEY**

(Case No. 96,223-B)

As below-named joint inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Human Bikunin**

the specification of which

- ☐ is attached hereto.  
☒ was filed as U.S. Patent Application Serial No. 08/725,251 on 04 OCT 1996.  
☐ was filed as PCT Application Serial No. \_\_\_\_\_ on \_\_\_\_\_.  
☐ as amended on \_\_\_\_\_.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, Sections 1.56(a) and 1.56(b).

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s):**

| <u>Number</u> | <u>Country</u> | <u>Day/Month/Year Filed</u> | <u>Priority Not Claimed</u> |
|---------------|----------------|-----------------------------|-----------------------------|
| 1.            |                |                             | <input type="checkbox"/>    |
| 2.            |                |                             | <input type="checkbox"/>    |

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

|    | <u>Application Number</u> | <u>Filing Date</u> |
|----|---------------------------|--------------------|
| 1. | 60/013,106                | 11 MAR 1996        |
| 2. | 60/019,793                | 14 JUN 1996        |

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112. We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number                      Filing Date                      Status - (patented, pending, abandoned)

- 1.
- 2.

The undersigned hereby appoint the following:

|                       |                |                       |                |
|-----------------------|----------------|-----------------------|----------------|
| Denis A. Berntsen     | Reg. No. 26707 | Lawrence H. Aaronson  | Reg. No. 35818 |
| John J. McDonnell     | Reg. No. 26949 | Thomas A. Fairhall    | Reg. No. 34591 |
| Daniel A. Boehnen     | Reg. No. 28399 | Kenneth J. Rudofski   | Reg. No. 35997 |
| Bradley J. Hulbert    | Reg. No. 30130 | Steven J. Sarussi     | Reg. No. 32784 |
| Paul H. Berghoff      | Reg. No. 30243 | Michael S. Greenfield | Reg. No. 37142 |
| Grantland G. Drutchas | Reg. No. 32565 | Kevin E. Noonan       | Reg. No. 35303 |
| James C. Gumina       | Reg. No. 32898 | Matthew J. Sampson    | Reg. No. 35999 |
| David M. Frischkorn   | Reg. No. 32833 | Mark Chao             | Reg. No. 37293 |
| A. Blair Hughes       | Reg. No. 32901 |                       |                |

as our Attorneys and

Emily Miao                      Reg. No. 35285

as our Registered Patent Agent, the mailing address and telephone number of each of whom is McDonnell Boehnen Hulbert & Berghoff., 300 South Wacker Drive, 7<sup>th</sup> Floor, Chicago, Illinois 60606, and (312) 913-0001, and

|                   |                |
|-------------------|----------------|
| Barbara A. Shimei | Reg. No. 29862 |
| William F. Gray   | Reg. No. 31018 |
| Huw Jones         | Reg. No. 33916 |
| Jeffery Greenman  | Reg. No. 26552 |
| Alice Brewer      | Reg. No. 32888 |

also as our Attorneys, the mailing address and telephone number of each of whom is BAYER CORP., 400 Morgan Lane, West Haven, Connecticut, 06516 and (203) 937-2069, with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Paul P. Tamburini

Inventor's signature Paul P. Tamburini Date 3/6/97

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Full name of second joint inventor: Gary Davis

Inventor's signature Gary Davis Date 3/6/97

Residence: 137 Tanglewood Circle, Milford, CT 06460  
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Full name of third joint inventor: Katherine A. Delaria

Inventor's signature Kath Delaria Date 3/6/97

Residence: 180 W. Walk Street, West Haven, CT 06516  
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Full name of fourth joint inventor:

Christopher W. Marlor

Inventor's signature

Christopher W. Marlor Date 3/6/97

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Full name of fifth joint inventor:

Daniel K. Muller

Inventor's signature

Daniel Muller Date 3/6/97

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